

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

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DATATREASURY CORP.

Plaintiff,

v.

2-04CV-85

SMALL VALUE PAYMENTS COMPANY.  
(SVPCo)

Defendant.  
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AMENDED AGREED CASE MANAGEMENT ORDER

Pursuant to the Court's authority under Federal Rules of Civil Procedure 16 and 26, it is hereby ORDERED that the parties comply with the following docket control timetable:

| STEP | ACTION  | RULE                 | DATE                 |
|------|---|----------------------|----------------------|
| 8    | Parties Exchange any Proposed Terms and Claim Elements for Construction                       | Patent L. R. 4-1 (a) | 12/5/05              |
| 9    | Parties meet and confer to discuss list of Proposed Terms and Claim Elements for Construction | Patent L. R. 4-1 (b) | on or before 12/9/05 |
| 10   | Parties make Exchange of Preliminary Claim Constructions and Extrinsic Evidence               | Patent L. R. 4-2     | 12/19/05             |
| 11   | Parties meet and confer to discuss Preliminary Claim Constructions and Extrinsic Evidence     | Patent L. R. 4-2 (c) | 12/26/05             |
| 12   | Parties meet and confer to discuss Claim Construction Proceedings                             |                      | on or before 1/06/06 |
| 13   | Parties Jointly file joint Claim Construction and Prehearing Statement                        | Patent L. R. 4-3     | 1/13/06              |

| STEP  | ACTION   | RULE                 | DATE         |
|-------|--|----------------------|--------------|
| 14    | Completion of Claim Construction Discovery   | Patent L. R. 4-4     | 1/24/06      |
| 15    | Patentee files Opening Claim Construction Brief on Claim Construction issues             |                      | 1/31/06      |
| 16    | Accused Infringer files Responsive Claim Construction Brief on Claim Construction issues |                      | 2/14/06      |
| 17    | Patentee files Reply Brief on Claim Construction issues                                  |                      | 2/21/06      |
| 18    | Hearing on Claim Construction issues   |                      | TBD          |
| 19    | Ruling on Claim Construction issues entered by the Court                                 |                      | TBD          |
| 20    | Patentee makes Final Infringement Contentions  | Patent L.R. 3-6 (a)  | CCR + 4 wks  |
| 21    | Accused Infringer makes Final Invalidity Contentions                                     | Patent L. R. 3-6 (b) | CCR + 8 wks  |
| 22    | Accused Infringer makes Disclosure Relating to Willfulness                               | Patent L. R. 3-8     | CCR + 8 wks  |
| 23    | Parties make Final Designations of all Expert Witnesses (except rebuttal witnesses)      |                      | CCR + 24 wks |
| 23(a) | Parties Provide Expert Witness Reports   |                      | CCR + 24 wks |
| 23(b) | Parties Provide Rebuttal Expert Witness Reports  |                      | CCR + 28 wks |
| 24    | Completion of all Remaining Fact and Expert Discovery                                    |                      | CCR + 32 wks |
| 25    | Patentee identifies Trial Witnesses  |                      | CCR + 45 wks |
| 26    | Accused Infringer identifies Trial Witnesses   |                      | CCR + 46 wks |
| 27    | Deadline for filing all Dispositive and <i>Daubert</i> Motions                           |                      | CCR + 36 wks |
| 28    | Deadline for filing Responses to Dispositive and <i>Daubert</i> Motions                  |                      | CCR + 40 wks |

| STEP | ACTION   | RULE | DATE                                 |
|------|--|------|--------------------------------------|
| 29   | Deadline for filing Replies re Dispositive and <i>Daubert</i> Motions  |      | CCR + 44 wks                         |
| 30   | Hearing for Dispositive and <i>Daubert</i> Motions   |      | CCR + 46 wks.                        |
| 31   | Parties to file Proposed Joint Final Pretrial Order that includes Proposed Jury Instructions, Joint Verdict Forms & Motions in <i>Limine</i> |      | CCR + 48 wks                         |
| 32   | Final Pretrial Conference before Judge David Folsom  |      | 10/3/06 or at least 48 wks from CCR. |
| 33   | Jury Selection   |      | 10/10/06                             |

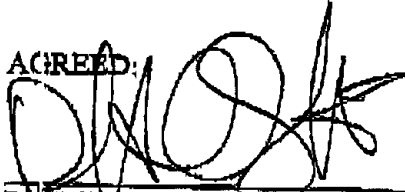
This Docket Control Order shall not be modified except by leave of Court or upon agreement of all parties.

SIGNED this 27 day of July, 2005,

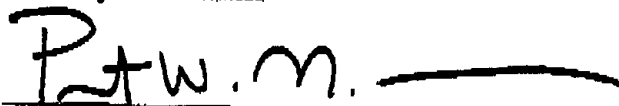


HON. DAVID J. FOLSOM  
UNITED STATES DISTRICT JUDGE

AGREED:



D. Neil Smith  
Attorney for Plaintiff



Preston McGee  
Attorney for Defendant